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February 7, 2013

Via Email

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
Southern District of New York
500 Pearl Street,
New York, NY 10007

Re: Jamal Johnson, et al. v. City of New York, et al.,
12 Civ. 873 (RA)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, and the attorney assigned to represent defendants in the above-referenced matter. I am writing on behalf of the parties to inform the Court that the action has settled in principal, through the issuance and acceptance of a Rule 68. However, the parties are in the process of discussing the possible conversion of the Rule 68 into a settlement agreement. The Stipulation of Settlement and Order of Dismissal will be forwarded to the Court as soon as this office receives same fully executed from plaintiff. Moreover, the attorneys' fees portion of this settlement agreement has not yet been litigated and that aspect of this case remains open. While the parties are hopeful that they will be able to come to an agreement on the amount of attorneys' fees and costs to be included as part of this settlement agreement, should they be unable to reach such an agreement, plaintiff's counsel reserves the right to make a formal fee application at that time. This notice is being submitted in lieu of the status letter due on February 8, 2013. The parties also respectfully request that the conference scheduled for February 15, 2013 at 3:30 p.m. be adjourned *sine die*.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Melissa Wachs
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Brett Klein, Esq. (Via Email)
Attorney for Plaintiffs

Application granted. The conference previously scheduled for February 15, 2013 is adjourned sine die. By March 1, 2013, the parties shall submit a joint letter updating the Court on the status of settlement discussions. So ordered.



USDJ

2/8/13